

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

General Mills Operations, LLC,

Plaintiff,

Civ. No. 10-15 (RHK/JJG)

ORDER

v.

Five Star Custom Foods, Ltd.,

Defendant/Third-Party Plaintiff,

v.

Cattleman's Choice, Inc., *et al.*,

Third-Party Defendants.

This matter is before the Court *sua sponte*.

Plaintiff General Mills Operations, LLC ("General Mills") and Defendant Five Star Custom Foods, Ltd. ("Five Star") have each moved for summary judgment in this action. (See Doc. Nos. 73, 79.) Opening briefs and responsive briefs on each Motion have now been filed, although replies are not yet due.

While not styled as cross-Motions for summary judgment, each Motion is noticed for a hearing on the same date. Furthermore, after having reviewed the papers submitted to date, the Motions appear to address the same subject matter. Moreover, each party has already submitted briefs totaling well in excess of the 12,000 words typically permitted for dispositive motions under Local Rule 7.1(d). In the Court's view, therefore, the

dispositive legal issues have been sufficiently and thoroughly addressed, and additional briefs need not (and should not) be filed.

Based on the foregoing, and all the files, records and proceedings herein, **IT IS ORDERED** that neither General Mills nor Five Star shall file a Reply Memorandum in support of their respective Motions for summary judgment.

Dated: April 20, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge